

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASBIR KAUR,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:22-cv-00367-DAD-SAB

ORDER ADOPTING THE PARTIES’
STIPULATION FOR THE AWARD OF
ATTORNEY’S FEES UNDER THE EQUAL
ACCESS TO JUSTICE ACT

(Doc. No. 14)

On March 29, 2022, plaintiff Jasbir Kaur filed this action seeking review of a final decision of defendant Commissioner of Social Security. (Doc. No. 1.) On July 18, 2022, the matter was remanded to the Commissioner of Social Security for further proceedings pursuant to 42 U.S.C. § 405(g). (Doc. No. 12.) On August 15, 2022, the parties filed a stipulation with the court in which the parties agree that plaintiff shall be awarded attorney’s fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d), in the amount of \$1,400.00, and costs under 28 U.S.C. § 920, in the amount of \$402.00. (Doc. No. 14.)

Good cause appearing, and pursuant to the parties’ August 15, 2022 stipulation, the court orders as follows:

1. Pursuant to the EAJA, 28 U.S.C. § 2412(d), plaintiff is awarded attorney’s fees in the amount of \$1,400.00;

2. Pursuant to 28 U.S.C. § 920, and the parties' stipulation, plaintiff is awarded costs in the amount of \$402.00;

3. After the issuance of this order, the government shall consider the assignment of the EAJA attorney's fees to plaintiff's counsel;

a. Pursuant to the decision in *Astrue v. Ratliff*, 560 U.S. 586 (2010), any such assignment will depend on whether the attorney's fees are subject to any offset allowed under the United States Department of Treasury's ("the DOT") Offset Program;

b. Fees shall be made payable to plaintiff, but if the DOT determines that plaintiff does not owe a federal debt, then the government shall cause the payment of attorney's fees to be made directly to plaintiff's counsel, Francesco Benavides;

4. Whether the payment of attorney's fees is made payable to plaintiff or to his counsel, the check will be mailed to plaintiff's counsel's mailing address at:

Francesco Benavides
Law Offices of Francesco Benavides
1990 N. California Blvd. Suite 20
Walnut Creek, CA 94596

IT IS SO ORDERED.

Dated: August 16, 2022


UNITED STATES DISTRICT JUDGE